

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)	Criminal No.
)	
)	<u>VIOLATIONS:</u>
)	
)	21 U.S.C. § 841(a)(1) -
)	Possession with Intent to
)	Distribute and
)	Distribution of Cocaine
v.)	Base (Counts One, Three,
)	and Four)
)	
)	21 U.S.C. § 841(a)(1) -
)	Possession with Intent to
)	Distribute and
)	Distribution of Cocaine
)	Hydrochloride (Count Two)
)	
EDUARDO PAGAN,)	18 U.S.C. § 922(g) -
Defendant.)	Felon in Possession of
)	Ammunition (Count Five)

SUPERSEDING INDICTMENT

The Grand Jury charges:

COUNT ONE: Title 21, United States Code, Section 841(a)(1) -
Possession with the Intent to Distribute and
Distribution of Cocaine Base

On or about October 8, 2004, at approximately 5:30 p.m., in
the city of Springfield, in the District of Massachusetts,

EDUARDO PAGAN

the Defendant herein, did knowingly and intentionally possess
with the intent to distribute and distribute a quantity of
cocaine base in the form of crack cocaine, a Schedule II
controlled substance.

All in violation of Title 21, United States Code, Section
841(a)(1).

COUNT TWO: Title 21, United States Code, Section 841(a)(1) -
Possession with the Intent to Distribute and
Distribution of Cocaine Hydrochloride

On or about October 8, 2004, in the city of Springfield, in
the District of Massachusetts,

EDUARDO PAGAN

the Defendant herein, did knowingly and intentionally possess
with the intent to distribute and distribute a quantity of
cocaine hydrochloride, a Schedule II controlled substance.

All in violation of Title 21, United States Code, Section
841(a)(1).

COUNT THREE: Title 21, United States Code, Section 841(a)(1) - Possession with the Intent to Distribute and Distribution of Cocaine Base

On or about October 8, 2004, at approximately 7:30 p.m., in the city of Springfield, in the District of Massachusetts,

EDUARDO PAGAN

the Defendant herein, did knowingly and intentionally possess with the intent to distribute and distribute a quantity of cocaine base in the form of crack cocaine, a Schedule II controlled substance.

All in violation of Title 21, United States Code, Section 841(a)(1).

COUNT FOUR: Title 21, United States Code, Section 841(a)(1) - Possession with the Intent to Distribute and Distribution of Cocaine Base

On or about November 8, 2004, in the city of Springfield, in the District of Massachusetts,

EDUARDO PAGAN

the Defendant herein, did knowingly and intentionally possess with the intent to distribute and distribute a quantity of cocaine base in the form of crack cocaine, a Schedule II controlled substance.

The possession with the intent to distribute and distribution of cocaine base described in Count Four of the Indictment involved five grams or more of a mixture and substance containing a detectable amount of cocaine base in the form of crack cocaine, a Schedule II Controlled Substance. Accordingly, Title 21, United States Code, Section 841(b)(1)(B)(iii) applies to Count Four.

All in violation of Title 21, United States Code, Section 841(a)(1).

COUNT FIVE: Title 18, United States Code, Section 922(g)(1) -
Possession of Ammunition by a Convicted Felon

On or about June 15, 2005, in Hampden County, in the
District of Massachusetts,

EDUARDO PAGAN,

the Defendant herein, having previously been convicted of a crime
punishable by a term of imprisonment exceeding one year,
knowingly did possess, in or affecting interstate commerce, the
following ammunition:

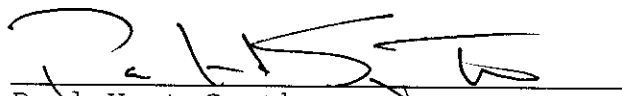
- .45 caliber rounds of ammunition

All in violation of Title 18, United States Code, Section
922(g)(1).

A TRUE BILL

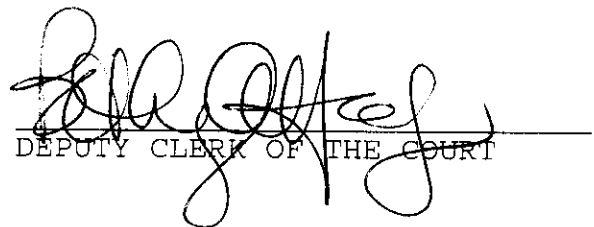


FOREPERSON OF THE GRAND JURY



Paul Hart Smyth
Assistant United States Attorney

DISTRICT OF MASSACHUSETTS: December 8, 2005 *at 10:30 am*
Returned into the District Court by the Grand Jurors and filed.



DEPUTY CLERK OF THE COURT

Criminal Case Cover Sheet

U.S. District Court - District of Massachusetts

Place of Offense: _____ Category No. II Investigating Agency FBI

City Springfield Related Case Information:

County Hampden Superseding Ind./ Inf. X Case No. 05-cr-30046
Same Defendant yes New Defendant _____
Magistrate Judge Case Number _____
Search Warrant Case Number _____
R 20/R 40 from District of _____

Defendant Information:

Defendant Name Eduardo Pagan, Jr. Juvenile ☐ Yes ☒ No

Alias Name Edward Pagan

Address 11 Putnam Circle, Springfield, MA

Birth date (Year only): 1978 SSN (last 4 #): 6959 Sex M Race: Hispanic Nationality: _____

Defense Counsel if known: Robert Astor Address: 1441 Main Street, Springfield, MA

Bar Number: _____

U.S. Attorney Information:

AUSA Paul H. Smyth Bar Number if applicable 634600

Interpreter: ☐ Yes ☒ No List language and/or dialect: _____

Matter to be SEALED: ☐ Yes ☒ No

☐ Warrant Requested ☐ Regular Process ☒ In Custody

Location Status:

Arrest Date: June 15, 2005

☒ Already in Federal Custody as pretrial detainee in Franklin County Corrections

☐ Already in State Custody _____ ☐ Serving Sentence ☐ Awaiting Trial

☐ On Pretrial Release: Ordered by _____ on _____

Charging Document: ☐ Complaint ☐ Information ☒ Indictment

Total # of Counts: ☐ Petty _____ ☐ Misdemeanor _____ ☒ Felony 5

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☒ I hereby certify that the case numbers of any prior proceedings before a Magistrate Judge are accurately set forth above.

Date: 12/8/05 Signature of AUSA: _____

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District Court Case Number (To be filled in by deputy clerk): _____

Name of Defendant Eduardo Pagan

U.S.C. Citations

	<u>Index Key/Code</u>	<u>Description of Offense Charged</u>	<u>Count Numbers</u>
Set 1	<u>21:841(a)(1)</u>	<u>Possess. w/intent to dist. & distr. of Coc. Base</u>	<u>1,3,4</u>
Set 2	<u>21:841a1</u>	<u>Possess. w/intent to dist. & distr. of cocaine</u>	<u>2</u>
Set 3	<u>18:922(g)(1)</u>	<u>Felon in possession of ammunition</u>	<u>5</u>
Set 4	_____	_____	_____
Set 5	_____	_____	_____
Set 6	_____	_____	_____
Set 7	_____	_____	_____
Set 8	_____	_____	_____
Set 9	_____	_____	_____
Set 10	_____	_____	_____
Set 11	_____	_____	_____
Set 12	_____	_____	_____
Set 13	_____	_____	_____
Set 14	_____	_____	_____
Set 15	_____	_____	_____

ADDITIONAL INFORMATION: